



City of Freeport

REGULAR COUNCIL MEETING MINUTES

February 11, 2020, 9:00 AM
Council Chambers, Freeport City Hall

Council Members Present: Mayor Russ Barley, Councilwoman Amanda Green, Councilwoman Elizabeth Brannon, Councilman Eddie Farris, Councilman William "Boots" McCormick, Councilwoman Elizabeth Haffner

Staff Members Present: City Attorney Clay Adkinson, Parks Director Charlie Simmons, Planning Director Latilda Neel, Planning Technician Brooke Jackson, Finance Officer Sara Bowers, Finance Assistant Joyce Sunday, Billing Manager Debbie Roberts, City Engineer Alex Rouchaleau, Interim City Clerk Lori Cox

Others Present City Engineer Cliff Knauer

1. Meeting Called to Order

The meeting was called to order at 9:00 am by Mayor Barley in the Council Chambers of Freeport City Hall.

2. Invocation and Pledge of Allegiance

The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

3. Request for Placement on the City Council Agenda

a. Mike Luecke

Mayor Russ Barley explained that Mr. Luecke's sewer charge issue had been brought back for consideration from the January 23, 2020 Regular Council Meeting to allow staff to research his request.

Mr. Luecke requested sewer charges from October 2019 to January 2, 2020 be credited back to his account because he claimed the sewer system was not hooked up at the time. Mr. Luecke also requested that the city to provide him with documentation as to when sewer charges begin.

Billing Manager Debbie Roberts approached the podium and explained that our normal billing procedure is to bill after the work order for a sewer tap is complete. Sewer charges are a base rate to water consumption; not separately metered. Roberts referenced and read Article 2.8 from city Ordinance 91-3 , "Sewer charges shall be in effect within 120 days of notification of the availability of sewer service...." as city documentation.

Roberts then stated that the customer's submitted application did not indicate that service would be for a secondary home going on the property since the number of units on the form was marked "1". The address written on the Availability Letter by the customer was the address for the existing home on the property that had a septic system. Roberts also noted that the City Ordinance does not allow customers to be double connected since each home must have its own water meter and sewer tap.

City Attorney Clay Adkinson asked Roberts to confirm that if two homes were connected to one tap, would the sewer charges exceed the base rate.

Roberts affirmed sewer charges would be higher when two homes were connected to one meter; sewer is not metered separately.

Adkinson believed the customer initially presented the issue to Council at the January 23rd meeting as a flaw in the city's Ordinance structure. Adkinson stated that is not the case, nor is there a flaw in policy. The customer was clearly a part of the required Ordinance 91-3 provision, since the customer did contemplate sewer connection according to the submitted Availability Letter for one unit. He informed Council the customer was in violation of city code by having more than one unit connected to one tap and is required to have two taps. He referred the issue back to Council for their discretion but noted their decision should come with a contingency for the customer to become compliant with city code.

Moved by: Councilwoman Brannon

Seconded by: Councilman McCormick

Motion: To deny request for credit and require the customer to become compliant by installing a second meter and tap within one hundred twenty days to the property.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

4. Public Comment on Consent Agenda- none.

5. Approval of Consent Agenda

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

Motion: To approve the Consent Agenda as presented.

Approved

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

- a. Bills paid
- b. Regular Council Meeting Minutes - January 14, 2020
- c. Regular Council Meeting Minutes - January 23, 2020

6. Consideration of Additions/Deletions to Agenda

- a. ADDITION: Councilwoman Haffner - Project Manager Update
- b. ADDITION: Legal - Election Districts
- c. ADDITION: Mayor - Future Council Meetings Due to Voting

7. Approval of Agenda with Additions/Deletions

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Haffner

Motion: To approve the Agenda with the specified additions as presented.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

8. Staff Reports

- a. Water - none.
- b. Sewer - none.
- c. Parks - none.
- d. City Clerk - none.
- e. Finance

1. Wastewater Facility Optimization

Finance Officer Sara Bowers requested to move \$79,850.00 spent on sewer optimization from the Sewer Fund Account into the Operating Account.

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Haffner

Motion: To approve moving \$79,850.00 from the Sewer Fund Account to the Sewer Operating Account.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Approved

Carried (5 to 0)

2. USDA Wastewater Treatment Plant Reconstruction/Expansion Project

Bowers requested to move \$216,000 from the Sewer Impact Account into the Sewer Operating Account.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Motion: To approve \$216,000 to be moved from the Sewer Impact Account to the Sewer Operating Account.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

3. American Data Group Conference

Bowers requested approval for Finance Assistant Joyce Sunday to attend the American Data Group Conference next month.

Moved by: Councilwoman Haffner

Seconded by: Councilwoman Brannon

Motion: Approval for Finance Assistant Joyce Sunday to attend the American Data Group Conference.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

4. SRF Loan Agreement Document

Bowers presented Amendment 1 to the State Revolving Fund Loan Agreement. The term erroneously stated that the loan term was for 20 years but per rule is 10 years.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Motion: To approve Mayor Barley to execute Amendment 1 of the State Revolving Fund Loan Agreement.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

f. Billing

1. Request Approval of Sewer Forms

Billing Manager Roberts presented a new sewer connection form and an updated availability letter for Council approval. The new sewer connection form acknowledges receipt of paperwork, processes and time frames by the customer. The availability letter requires the customer to select the type of residence on the application.

Councilwoman Green requested to add grinder station installations to the form since this service is done by independent contractors and could possibly delay the sewer connection process.

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Haffner

Motion: To approve the forms; motions were amended to add the grinder station installation to the sewer connection form.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

g. Planning

1. Palm Street Townhomes Plat Approval

Planning Director Latilda Neel presented the Palm Street Townhomes for final plat approval subject to a final inspection taking place in the afternoon. She described the property to be an eleven-townhome project on the west side of Palm Street, north of Blueberry Rd.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Motion: To approve the Palm Street Townhomes final plat subject to final inspection.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

2. Special Event Permit - Blood Drive

Neel presented a special event permit application for a blood drive sponsored by One Blood. A waiver of fees has been requested as the event would be non-profit. The event would be held in Hammock Bay on Saturday, February 15, 2020.

Moved by: Councilwoman Brannon

Seconded by: Councilman Farris

Motion: To approve the One Blood special event permit and waive fees.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

h. Legal

1. ADDITION: Election Districts

City Attorney Adkinson asked for Council guidance on the proposed city redistricting. Adkinson explained that it is time to take into consideration the city's substantial growth and to ensure fair representative apportionment. He explained there were several options the Council could take in redistricting process, but recommended waiting until the voter registration data is available mid-summer and the 2020 Census is complete.

Council consensus was to wait for the data to become available mid-summer and to address redistricting then.

Council Action: none.

i. Engineering

1. US 331 North Utilities

City Engineer Alex Rouchaleau presented several items pertaining to the US 331 North Utility Project.

- a. Executed easement deeds from the Preserve and Owl's Head properties.
- b. An executed Owl's Head Developer's Agreement; committing the developer to a payment schedule so the city can move forward with design and construction of the sewer expansion.
- c. The engineering proposal for the design, permitting and construction of the US 331 North Wastewater Expansion.
- d. An overview of the project scope
- e. A summary of 331 North Impact / Capacity Fee Assignments
- f. A preliminary cost estimate of the project

Councilwoman Green referenced the Developers Agreement and asked for clarification on water improvements the city was planning on doing on the project.

Rouchaleau stated that future plans would consist of adding in an 18-inch water main coming from the Owl's Head property well 5 location that would run all of the way down US 331. He noted, the developer would pay water fees upfront, but the current plan did not include adding the 18-inch water main at this time.

Councilwoman Green noted that the agreement stated that the City must complete water projects.

City Attorney Adkinson expressed concern that the city's obligation to water projects have not been identified within the agreement and that the verbiage ties the approval of a plat to city water and sewer project completion. Adkinson wanted to state for the record that approval of this agreement does not constitute approval to build in the area, it is just an approval of a plat. Plat approval does not mean vertical construction and does not contemplate any real construction element. Until significant infrastructure is available, no one will get to build in this area. Adkinson believed the agreement needs to have a better definition of the water projects and fees or eliminate reference to it.

Discussion ensued over fees that are necessary to collect to initiate the project.

City Engineer Cliff Knauer approached the podium and noted that well 5 is next to the development site and that there will be 8 months to a year of site work improvements the developer will have while the sewer will be installed down US 331. The developer has committed to putting in a significant water line as part of their project and they will have access to water. He did not think there would be an issue with them paying their water impact fees on the schedule in the event that the city would have a need for the money for a water project that is not currently scheduled. He stated that there may be an opportunity to make upgrades from the discharge pipe coming from the tank to the water line the developer is putting in as a part of their project. The city could use the funds to upgrade to an 18-inch pipe.

Attorney Adkinson asked if Dewberry would like to add the upgrade as part of the city's contemplation.

Knauer stated that the upgrade is not on the radar to do currently but will definitely need to be done.

Adkinson suggested changing the agreement verbiage to state that the developer and city agree that no specific project as of yet has been identified for the water fees and no completion or commencement of project shall reference any water portion of the project.

Rouchaleau to present the changes to the developer and to bring back the agreement at the next meeting for Council review.

Councilwoman Green then referenced LaGrange Landing from the 331 North Impact / Capacity Fee Assignment list and asked for an update on sewer rerouting for that area.

Knauer explained that though they are not in the position to do now, the overall objective once the forcemain on US 331 gets installed would be to reverse the flow and go down US 331 straight to the sewer plant as opposed to going through town on SR 20.

Council Action: None.

2. SRF Phase I Wastewater Improvements - Change Order #3

Approved

Rouchaleau presented change order 3 for Phase I Wastewater Utility Upgrades. The cost increase was due to changes in fencing material from chain link to wood fencing for lift stations at US 331 and Hammock Trail East. The second cost increase was for additional piping needed for a third lift station.

Moved by: Councilwoman Green

Seconded by: Councilman McCormick

Motion: To approve change order #3 in the amount of \$67,708.00 for the Phase I Wastewater Utility Upgrades presented.

Carried

3. 83A East Watermain Improvements Contract Approval

Rouchaleau presented the bid tab for R&B Contracting containing three versions of optional project scopes for the 83A East Water main improvements. Rouchaleau informed the Council that he and Water Supervisor Larry Tuggle preferred to do the project in its entirety. Sod and silt fencing could be paid for as unit price items and the City could purchase the materials to receive the tax savings on the project to save money.

Moved by: Councilman Farris

Seconded by: Councilman McCormick

Motion: To award the full bid amount of \$955,688.34 to the lowest bidder; R&B Contracting, to pay for sod and silt fencing as unit price items and the City of purchase materials to receive the tax savings.

Carried

4. Wastewater Treatment Plant Facility Rib Improvements

Rouchaleau informed the Council that the discharge to the ribs at the wastewater treatment plant facility is not functioning the way that it should; adequate resting for the ribs is a DEP permit requirement. He put together a cost estimate and proposed modifications to increase the flow to the ribs. The conceptual cost estimate is \$85,725.00. He and city representatives will be attending a meeting with DEP tomorrow and will discuss the recent permit application and existing consent items on the consent order and will discuss the rib situation with them and ask for their guidance.

Councilwoman Green stated that rib repairs were on the Consent Agenda a couple of years back and asked if the repairs were done.

Rouchaleau informed her that some modifications had been done at that time but has not been sufficient.

Councilwoman Green asked if the proposed modifications would be compatible with the new treatment plant.

Rouchaleau stated that it would not be compatible, but a \$23,000 pump could be reused at the new plant, but he will discuss it with DEP.

Council Action: None.

5. Update

Rouchaleau updated the Council on the directional boring contractor working on the forcemain project in Hammock Bay. He explained that Cinch lost a bore and when they tried to retrieve it the entrance to the Lake Club became compromised. The road will be closed until the necessary repairs can be made.

Council Action: None.

9. Old Business

a. MOU - US Marine Corps/City of Freeport

Clerk Assistant Lori Cox presented an email response from the Special Marine Corps regarding questions the Council had about firearms and helicopters potentially used in training. The email stated that firearms and helicopters would not be used.

Council was in support of the training but had concerns about possible cell phone outages during training, the impact it would have on citizens, and the length of the agreement.

Council directed Cox to ask if the agreement could be done on a yearly basis as opposed to a five-year term.

Council Action: None.

b. Pending List - City of Freeport & Dewberry

Councilwoman Brannon requested an update on the road agreement with Walton County.

Adkinson updated Council that he and Planning Director Neel recently received a complete list of roads that the county indicated are within the City of Freeport that the county has expended money on. Currently, he is attempting to get the exact remittiturs of taxes that were being withheld during the five-year period agreement. Adkinson felt that once that information was received the Council will have a better idea of what steps to take next.

Neel discussed her county conversations and felt the next issue will be for the City to determine the needed funding beyond the county acknowledged roads.

Adkinson stated that the county gave them a total road and bridge tax county wide with a pro rata distribution for Freeport, that now needs to be compared to what the citizen's actually pay. Adkinson suggested prioritizing roads with the County as well.

Council Action: None.

10. New Business

a. Mayor Russ Barley

1. Chelco Easement

Mayor requested approval to execute the Chelco right-of-way easement on Parcel ID# 10-1S-19-23000-005-0013.

Councilwoman Green asked the location of the property.

Neel explained that it is located on Water Tower Rd. and Chelco is requesting a 30-foot utility easement.

Cox stated that Water Supervisor Larry Tuggle had Chelco out to show him specifically where the easement would be; Tuggle did not have any issues with where the easement would be.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Motion: To approve the execution of the Chelco utility easement on Water Tower Road as presented.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

2. City Clerk

Mayor Barley requested to discuss the City Clerk position with the Council. He explained that Cox has been the Interim City Clerk for 10 months with no additional compensation. He mentioned that she had been attending Florida Association of City Clerk classes and requested additional compensation for the work she has done.

Council consensus was to give a 10% increase while serving in the position: effective the following pay period.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Motion: To approve a temporary ten percent pay increase while serving as Interim City Clerk effective March 17, 2020.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

3. ADDITION: Future Council Meeting Due to Voting

Mayor Barley informed the Council that an election was going to be held in the Freeport City Council Chambers March 5-19 and a Council Meeting is scheduled during that time period. He mentioned the Council Meeting will have to be changed and meetings in August and October will have to be changed as well.

City Engineer Cliff Knauer suggested the use of the County Commissioners Board Room in the Freeport Commons Business Complex.

Consensus was to check on the availability of the Board Room and have Cox let the Council know.

Council Action: none.

b. Councilwoman Brannon

c. Councilman Farris

1. Community Center/Senior Citizens Center

Councilman Farris informed the Council that he has had several citizens talk to him about the future plans for the community center and the possibility of having a senior citizens center. Councilman Farris felt that a senior citizens center would be a great idea and invited Planning Director Neel to speak about the future plans.

Neel explained that there is a 4,000 square foot community center included in the master complex plan; design and funding still needs to be acquired. She informed the Council that the library expansion is a part of the master complex plan as well. The library board proposed to build a larger library where the community center was initially planned to go and use the existing library as the new community center and senior citizens center.

Councilwoman Haffner felt the plan was a great idea but was concerned with how long it would take to since the library is currently exploring grant and other funding opportunities.

Neel said that she would provide an update on how the library fund raising is going at the next meeting.

Councilwoman Green agreed that the library needs to be larger, but she had concerns with giving the citizens the older building as a community center as opposed to giving them a brand new one.

Council agreed that the citizens were promised a new community center and that is what they want to see happen. They discussed using the existing library as potential building for a senior citizens center.

2. City Streets Inquiry

Subject was addressed under the Pending List above.

d. Councilwoman Green

1. Traffic Concurrency

Councilwoman Green addressed traffic concurrency for future city growth and suggested setting up a Workshop to begin discussion.

City Engineer Rouchaleau agreed as improvements and maintenance is already needed due to the impact development is having on the roads.

Neel stated that the County is currently looking at implementing mobility fees as a funding source to maintain roads and bridges.

Rouchaleau mentioned that it might be good to wait until the County has implemented their plan.

Councilwoman Green agreed it was best to wait and to bring the matter back afterwards.

e. Councilwoman Haffner

1. ADDITION: Project Manager Update

Mayor Barley informed the Council that he spoke to Charlie Simmons about the Council proposed salary increase for the Project Manager position. Simmons preferred a \$25.00 hourly rate and to just charge for the actual hours worked in the Project Manager position.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Motion: To approve Interim Project Manager Charlie Simmons to be paid \$25.00 an hour and be paid on a monthly basis.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

Moved by: Councilman McCormick

Seconded by: Councilwoman Haffner

Motion: To approve Charlie Simmons to start as Interim Project Manager immediately.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

f. Councilman McCormick

11. Public Comment

Mathew Parker, Civil Engineer approached the podium and suggested that the City dictate what size water mains run through private property on US 331 to accommodate future growth. He asked Council to consider any possible future fees and the impact they would have on housing affordability. Mr. Parker also stated that the decisions made towards the County Roads Interlocal Agreement would impact developer's decisions on whether or not to make roads private or public.

Approved

City Attorney Adkinson suggested he speak with Planning Director Neel on details and issues within the Interlocal Agreement.

City Engineer Rouchaleau informed him that the current plans to put in an 18" water line would handle additional city growth.

12. Adjournment

Mayor Barley motioned to adjourn. The meeting adjourned at 10:59 a.m.

A handwritten signature in black ink, appearing to read "Barley", written over a horizontal line.

Mayor

A handwritten signature in black ink, appearing to read "Lori Cox", written over a horizontal line.

Interim City Clerk